

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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STATE FARM MUTUAL AUTOMOBILE INSURANCE  
COMPANY,

Plaintiff,

v.

Case No. 19-10669

MICHAEL ANGELO,  
*et al.*,

Defendants.

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**ORDER TERMINATING WITHOUT PREJUDICE PLAINTIFF'S  
MOTION FOR SANCTIONS AGAINST DEFENDANT JAMES**

Plaintiff State Farm Mutual Automobile Insurance Company brings this action under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1962(c) and (d), common law fraud, and unjust enrichment. (ECF No. 1, PageID.55-63.)

On April 15, 2021, Plaintiff filed a "Motion for Sanctions Against Defendant Reese James . . . for Failure to Participate in Discovery." (ECF No. 116.) According to Plaintiff, James wholly failed to participate in discovery, and Plaintiff asked the court to enter a default judgment against him. (*Id.*, PageID.6216.)

After Plaintiff filed the motion for discovery sanctions, the parties informed the court in May 2021 that Plaintiff and James were in settlement discussions. Later in May 2021, the court was notified by the parties that a settlement agreement had been executed between Plaintiff and James.

With Plaintiff having agreed to settle its claims against James, the court will terminate without prejudice the pending motion for discovery sanctions. (ECF Nos. 116.)

This order does not affect Plaintiff's substantive rights, but is issued to avoid any confusion caused by motions lingering unnecessarily on the docket. If necessary, Plaintiff may refile its motion at the appropriate time. If Plaintiff later chooses to pursue its motion, the motion will need to be updated to reflect changed circumstances, including any developments in discovery and James' production efforts. Accordingly,

IT IS ORDERED that Plaintiff's "Motion for Sanctions Against Defendant Reese James . . . for Failure to Participate in Discovery" (ECF No. 116) is TERMINATED WITHOUT PREJUDICE.

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: August 6, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 6, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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